

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

C. GENE HALL, an individual,
FINANCIAL PLANNING COUNSELORS,
INC., a Michigan corporation, and THE
HALL FAMILY TRUST DATED MARCH
26, 1985, a Florida trust,

Case No. 02-70625

Plaintiffs,

Honorable Patrick J. Duggan

v.

JEFFREY C. FUREST, an individual,
WILLIAM F. FUREST, JR., an individual,
and FUREST, FUREST SERVICES, INC.
d/b/a FIRST FINANCIAL SERVICES,
jointly and severally,

Defendants.

ORDER

At a session of said Court, held in the U.S.
District Courthouse, City of Detroit, County of
Wayne, State of Michigan, on October 17, 2006.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

On February 15, 2002, Plaintiffs filed a twelve-count complaint against Defendants arising out of a failed joint venture between the parties which would have allowed C. Gene Hall, an insurance agent, to transfer his current clients to Defendants and retire. The following claims remain against the Furest Defendants: (I) Breach of Contract; (II)

Promissory Estoppel; (III) Breach of Fiduciary Duties; (IV) Accounting; (V) Fraud and Negligent Misrepresentation; and (VI) Tortious Interference.¹

Presently before the Court is Defendant's Motion for Summary Judgment. For the reasons set forth in an Opinion issued this date,

IT IS ORDERED that Defendants' Motion for Summary Judgment is **GRANTED** as to all counts except Court II (Promissory Estoppel).

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment as to Count II (Promissory Estoppel) is **DENIED**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
Dennis M. Rauss, Esq.
Thomas S. Michael, Esq.

¹ In an Opinion and Order dated December 17, 2004, this Court dismissed Counts VII through XII of Plaintiffs' Complaint against all Defendants and dismissed former defendants in this action Jefferson Pilot Financial Insurance Company, Jefferson Pilot Securities Company, and Jefferson Pilot Financial's Vice President, Frederick Kenny, pursuant to a binding arbitration agreement contained in a settlement agreement.